

Section B-7 Legal Affairs

The contents of this Toolkit have been developed to assist you in your efforts to support family readiness. Every effort has been made to ensure that the information provided is current and accurate. However, because statutory and regulatory changes may have occurred since the publication of this Toolkit, the Office of the Assistant Secretary of Defense for Reserve Affairs cannot assume responsibility for its continued accuracy. Before taking any significant action based on the contents of this Toolkit, you should contact your Family Readiness Program representative or legal officer, as appropriate, to secure the most current information.

Legal Affairs

Legal affairs encompass very important issues and decisions for service members. Items such as Estate Planning, including Wills, Military, Testamentary Instruments, and Trusts; Medical Planning, including Living Wills, Military Advance Medical Directives, and Designation of Anatomical Gifts; General and Special Powers of Attorney; Property and Financial Affairs Management; and the Soldiers' and Sailors' Civil Relief Act are very complex, and are generally not thought about on a day-to-day basis. Once a service member is preparing to deploy or leave for training, legal affairs become a top priority and an important requirement. These issues are the ones many people understandably hesitate to think about, but they are extremely important considerations for you and your family. Consider the following key components of your legal affairs:

- Check the pages of your service record to make sure the information is correct. An incorrect address or phone number can delay quick response in an emergency.
- Make sure that the correct beneficiary is listed on your Servicemembers' Group Life Insurance (SGLI) election and certificate.
- Decide whether you need to have wills or military testamentary instruments drawn up for you and your spouse. This may seem like a particularly difficult thing to do, but you will want to take control instead of letting the courts decide for you.
- Decide whether or not you need a living will, advance military medical directive, or durable medical power of attorney. These documents can authorize the person you designate to make decisions regarding your medical care in the event you become incapacitated and cannot make those decisions yourself. This too may seem like a particularly difficult thing to do, but you will want to ensure that your wishes are known and honored and that someone can legally speak on your behalf.
- Decide whether or not you need to give a general or special power of attorney to a friend or family member. This is a legal designation by an individual for a person to execute certain duties on behalf of the service member in his/her absence. For example, if you normally file a joint income tax return, you may want someone to act on your behalf while you are deployed.
- If you have minor children, you may need to give a medical power of attorney to a neighbor; grandparents, and/or child care providers to authorize these individuals to take action in the event of a medical emergency.
- Before deployment, make sure that you both know the location of important documents such as wills, marriage and birth certificates, and insurance policies.

- Verify DEERS enrollment so family members can receive needed medical care in your absence. Call 1-800-538-9552 to confirm enrollment.
- Ensure your spouse knows the location of the nearest military legal assistance office for help with legal problems that may arise during mobilization.

You may obtain free legal assistance from a judge advocate assigned to the legal assistance office at any military installation close to your home or unit. Although not every person wants or needs a will, military testamentary instrument, power of attorney, or health care directive, you should seek legal counsel to ensure your legal affairs are in order well before mobilization. For additional information, visit a public preventive legal information site, Legal Services

<http://www.jagcnet.army.mil/legal>.